

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

UNITED STATES OF AMERICA,
Plaintiff,

vs.

EMILIO SANCHEZ,
Defendant.

MEMORANDUM DECISION AND
ORDER GRANTING, IN PART,
DEFENDANT'S MOTION TO
DISMISS AND GRANTING THE
GOVERNMENT LEAVE TO
DISMISS COUNT II

Case No. 2:08-CR-468 TS

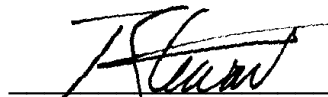
This matter is before the Court on Defendant's Motion to Dismiss one of the counts in the two-count Indictment on the grounds of multiplicity. The government responds that it agrees with Defendant's position on multiplicity of the counts and seeks leave to dismiss Count II. Good cause appearing, it is therefore

ORDERED that the Motion to Dismiss (Docket No. 14) is GRANTED IN PART. It is further

ORDERED that the government is granted leave to dismiss Count II the Indictment and may do so by filing the appropriate form of a notice of dismissal.

DATED December 8th, 2008.

BY THE COURT:

A handwritten signature in black ink, appearing to read "T. Stewart", is written over a horizontal line.

TED STEWART
United States District Judge